

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: CONSTANCE N. CRAIG-MASON and	:	CHAPTER 13
ANTHONY O. MASON	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
CONSTANCE N. CRAIG-MASON and	:	
ANTHONY O. MASON	:	
Respondent(s)	:	CASE NO. 1-18-bk-04676

TRUSTEE'S OBJECTION TO SECOND AMENDED CHAPTER 13 PLAN

AND NOW, this 17th day of July, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required.
2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. The plan is underfunded relative to claims to be paid. (Base plan must be at least \$76,200.00.)
 - b. The debtors have previously filed a Chapter 13 Plan for payment of mortgage arrears and defaulted under said plan.
3. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:
 - a. 2017 and 2018 Federal Income Tax return.
 - b. Paystub for month ending July 31, 2019.
 - c. Proof of Claim for Buddy's Home Furnishings.
4. The Trustee provides notice to the Court as to the ineffectiveness of debtors' Chapter 13 Plan for the following reason:
 - a. Debtors are over median income.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/James K. Jones
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 17th day of July, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Dawn Cutaia, Esquire
115 East Philadelphia Street
York, PA 17401

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee